

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, APRIL MUNIZ, MARCUS
MARTIN, NATALIE ROMERO, CHELSEA
ALVARADO, JOHN DOE, and THOMAS
BAKER,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

Civil Action No. 3:17-cv-00072-NKM

**CONSENT MOTION FOR LEAVE TO EXCEED PAGE LIMIT IN RESPONSE TO
MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS LEAGUE OF THE
SOUTH, MICHAEL HILL, AND MICHAEL TUBBS**

Plaintiffs Elizabeth Sines, Seth Wispelwey, Marisa Blair, April Muniz, Marcus Martin, Natalie Romero, Chelsea Alvarado, John Doe, and Thomas Baker (“Plaintiffs”), by and through their counsel, hereby move this Court for leave to exceed the page limit, as set by the November 14, 2017 Pretrial Order (ECF No. 101), in response to the Motion for Summary Judgment filed by Defendants League of the South, Michael Hill, and Michael Tubbs (the “Motion”). The November 14, 2017 Pretrial Order currently sets the page limit at 25 pages. (*See* Pretrial Order at ¶ 8.) Plaintiffs seek leave to file a response to the Motion not exceeding 55 pages. Movant-Defendants consent to this leave to exceed the page limit set by the Pretrial Order, and good cause exists for granting this request. In support thereof, Plaintiffs state as follows:

1. Movant-Defendants were granted leave to exceed the page limit for their memorandum in support of their Motion. *See* ECF No. 828. Movant-Defendants submitted a memorandum of

approximately 44 pages, not including the actual Motion or the Table of Contents or Table of Authorities, which brought the total to 51 pages. (*See* ECF No. 823.)

2. On September 1, 2020, counsel for Plaintiffs conferred with counsel for Movant-Defendants, who consented to Plaintiffs' filing of this Motion for Leave to Exceed the Page Limit.

WHEREFORE, Plaintiffs respectfully request that the Court grant this request and allow them to submit a response to said Motion not to exceed 55 pages.

Dated: September 1, 2020

Respectfully submitted,

/s/ Alan Levine

Alan Levine (*pro hac vice*)

Daniel P. Roy III (*pro hac vice*)

Amanda L. Liverzani (*pro hac vice*)

COOLEY LLP

55 Hudson Yards

New York, NY 10001

Telephone: (212) 479-6260

Fax: (212) 479-6275

alevine@cooley.com

droy@cooley.com

aliverzani@cooley.com

Of Counsel:

Roberta A. Kaplan (*pro hac vice*)
Julie E. Fink (*pro hac vice*)
Gabrielle E. Tenzer (*pro hac vice*)
Joshua A. Matz (*pro hac vice*)
Michael L. Bloch (*pro hac vice*)
Emily C. Cole (*pro hac vice*)
Alexandra K. Conlon (*pro hac vice*)
Jonathan R. Kay (*pro hac vice*)
Benjamin D. White (*pro hac vice*)
Raymond P. Tolentino (*pro hac vice*)
Yotam Barkai (*pro hac vice*)
KAPLAN HECKER & FINK, LLP
350 Fifth Avenue, Suite 7110
New York, NY 10118
Telephone: (212) 763-0883
rkaplan@kaplanhecker.com
jfink@kaplanhecker.com
gtenzer@kaplanhecker.com
jmatz@kaplanhecker.com
mbloch@kaplanhecker.com
ecole@kaplanhecker.com
aconlon@kaplanhecker.com
jkay@kaplanhecker.com
bwhite@kaplanhecker.com
rtolentino@kaplanhecker.com
ybarkai@kaplanhecker.com

Karen L. Dunn (*pro se*)
William A. Isaacson (*pro se*)
Jessica E. Phillips (*pro hac vice*)
PAUL WEISS RIFKIND WHARTON &
GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
Telephone: (202) 223-7300
Fax: (202) 223-7420
kdunn@paulweiss.com
wisaacson@paulweiss.com
jphillips@paulweiss.com

David E. Mills (*pro hac vice*)
Joshua M. Siegel (VSB 73416)
Caitlin B. Munley (*pro hac vice*)
Samantha A. Strauss (*pro hac vice*)
Alexandra Eber (*pro hac vice*)
COOLEY LLP
1299 Pennsylvania Avenue, NW
Suite 700
Washington, DC 20004
Telephone: (202) 842-7800
Fax: (202) 842-7899
dmills@cooley.com
jsiegel@cooley.com
cmunley@cooley.com
sastrauss@cooley.com
aeber@cooley.com

Robert T. Cahill (VSB 38562)
Scott W. Stemetzki (VSB 86246)
COOLEY LLP
11951 Freedom Drive, 14th Floor
Reston, VA 20190-5656
Telephone: (703) 456-8000
Fax: (703) 456-8100
rcahill@cooley.com
sstemetzki@cooley.com

Katherine M. Cheng (*pro hac vice*)
BOIES SCHILLER FLEXNER LLP
55 Hudson Yards, 20th Floor
New York, NY 10001
Telephone: (212) 446-2300
Fax: (212) 446-2350
kcheng@bsflp.com

J. Benjamin Rottenborn (VSB No. 84796)
Woods Rogers PLC
10 South Jefferson Street, Suite 1400
Roanoke, Va. 24011
Tel: (540) 983-7600
Fax: (540) 983-7711
brottenborn@woodsrogers.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2020, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

Elmer Woodard
5661 US Hwy 29
Blairs, VA 24527
isuecrooks@comcast.net

James E. Kolenich
Kolenich Law Office
9435 Waterstone Blvd. #140
Cincinnati, OH 45249
jek318@gmail.com

*Counsel for Defendants Jason Kessler,
Nathan Damigo, Identity Europa, Inc.
(Identity Evropa), Matthew Parrott, and
Traditionalist Worker Party*

Bryan Jones
106 W. South St., Suite 211
Charlottesville, VA 22902
bryan@bjoneslegal.com

*Counsel for Defendants Michael Hill,
Michael Tubbs, and League of the South*

William Edward ReBrook, IV
The ReBrook Law Office
6013 Clerkenwell Court
Burke, VA 22015
edward@rebrooklaw.com

*Counsel for Defendants Jeff Schoep, National
Socialist Movement, and Nationalist Front*

Justin Saunders Gravatt
David L. Campbell
Duane, Hauck, Davis & Gravatt, P.C.
100 West Franklin Street, Suite 100
Richmond, VA 23220
jgravatt@dhdglaw.com
dcampbell@dhdglaw.com

Counsel for Defendant James A. Fields, Jr.

I further hereby certify that on September 1, 2020, I also served the following non-ECF participants, via electronic mail, as follows:

Christopher Cantwell
christopher.cantwell@gmail.com

Robert Azzmador Ray
azzmador@gmail.com

Elliott Kline a/k/a Eli Mosley
eli.f.mosley@gmail.com
deplorabletruth@gmail.com

Vanguard America
c/o Dillon Hopper
dillon_hopper@protonmail.com

Matthew Heimbach
matthew.w.heimbach@gmail.com

Richard Spencer
richardbspencer@gmail.com

/s/ Alan Levine
Alan Levine (*pro hac vice*)
Counsel for Plaintiffs